

REMARKS

In the Official Action mailed on **29 June 2005** the Examiner reviewed Claims 1-21. Claims 1-21 were rejected under 35 U.S.C. §102(b) as being anticipated by Santhanam (USPN 5,704,053, hereinafter “Santhanam”).

Rejections under 35 U.S.C. §102(b)

Independent claims 1, 8, and 15 were rejected as being anticipated by Santhanam. Applicant respectfully points out that Santhanam teaches using previously collected **execution profile information** (see Santhanam, col. 14, lines 7-10).

In contrast, the present invention identifies prefetching candidates from basic blocks located within “if” conditions, **regardless of whether the basic blocks are likely to execute** (see page 12, lines 11-13 of the instant application). This is beneficial because it allows the benefits of prefetching even when there is no execution profile information. There is nothing within Santhanam, either explicit or implicit, which suggests identifying prefetching candidates from basic blocks located within “if” conditions, regardless of whether the basic blocks are likely to execute.

Accordingly, Applicant has amended independent claims 1, 8, and 15 to clarify that the present invention identifies prefetching candidates from basic blocks located within “if” conditions, regardless of whether the basic blocks are likely to execute. These amendments find support on page 12, lines 11-13 of the instant application.


Hence, Applicant respectfully submits that independent claims 1, 8, and 15 as presently amended are in condition for allowance. Applicant also submits that claims 2-7, which depend upon claim 1, claims 9-14, which depend upon claim 8, and claims 16-21, which depend upon claim 15, are for the same reasons in

condition for allowance and for reasons of the unique combinations recited in such claims.

CONCLUSION

It is submitted that the present application is presently in form for allowance. Such action is respectfully requested.

Respectfully submitted,

By 
Edward J. Grundler
Registration No. 47,615

Date: 29 July 2005

Edward J. Grundler
PARK, VAUGHAN & FLEMING LLP
2820 Fifth Street
Davis, CA 95616
Tel: (530) 759-1663
FAX: (530) 759-1665